

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 58447

Glen Crumling
Mary A. Crumling

701 Raynor Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 27, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312 failure to clear junk, trash and debris from the rear and side yard on residential property zoned DR 5.5 known as 701 Raynor Avenue, 21228

On April 27, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ray Harmon issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 10, 2009 requesting removal of junk, trash and debris from this residential property. This Citation was issued on April 27, 2009. Photographs in the file show extensive junk and trash in the yard. Inspector Harmon reported that Respondent's son contacted the Department prior to this Hearing to report that the junk was being removed. Re-inspection on May 26, 2009 found most of the junk picked up and placed on a trailer, presumably for transport to the landfill, but still remaining on the property. Photographs in the file also show bagged garbage on the ground and in cans without lids.

B. Because Respondents have made significant effort and progress towards compliance, additional time will be given without a civil penalty being enforced. However, if Respondents fail to remove the junk and trash from the premises, and fail to properly store garbage in cans with tight-fitting lids, the penalty will be imposed.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if Respondents correct the violations by June 11, 2009. If Respondents fail to correct the violations, the full civil penalty will be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 29th day of May 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer